

LegCo Panel on Manpower
Proposed Amendments to Vocational Training Council Ordinance

Purpose

This paper briefs Members on our proposals to amend the Vocational Training Council Ordinance (VTCO)(Cap.1130).

Background

2. The Vocational Training Council (VTC) is a statutory body established under the VTCO enacted in 1982. The VTC provides vocational education and training to help meet the developing needs of Hong Kong. Section 5 and 6 of the VTCO set out the objects and functions of the VTC, which are now reproduced at *Annex*.

Proposal

Principal amendment

3. Under the existing provisions of the VTCO, there is no explicit provision for the VTC to engage in extra-territorial activities.

4. On the other hand, in recent years, an increasing number of Hong Kong firms are engaged in cross-border operations and activities and they employ a large workforce from Hong Kong. With the rapid economic growth in the Pearl River Delta region, the trend is for more of these Hong Kong firms or even Mainland entities to recruit workers from Hong Kong. The ability of the VTC to equip our workforce to cater for the demand of these firms will be crucial to maintaining the competitiveness and employment prospects of our workers. There is also an increasing demand for the VTC to arrange for industrial attachment across the border for its students to acquire valuable working experience and to enhance their employment opportunities upon graduation.

5. The VTC wishes to operate a number of self-financing activities outside Hong Kong which include: job attachments in the Mainland for youths, provision of skills certification programmes and provision of award bearing/professionally recognised programmes. These require the VTC to be empowered to extend the territorial coverage of its objects and functions, both on its own and in partnership with its counterparts across the border.

6. These proposed activities would help meet the trained and qualified manpower requirement of Hong Kong business establishments with operations in the Mainland. At the same time, they will provide useful exposure to the trainees and better equip workers for employment in the Mainland.

7. The proposed activities will also facilitate bilateral exchange of experience and expertise in vocational education and training between Hong Kong and the Mainland, thereby contributing to the development of both sides in this area. The above activities will also help provide the VTC with additional income for the furtherance of its objects.

8. Having considered the benefits to the business and community at large, the Administration proposes to introduce amendments to the VTCO to empower the VTC to engage extra-territorial activities which are consistent with its objects and functions. Separate accounts will be kept for the operation of such activities to ensure that the VTC will only deploy public resources for the benefit of the people of Hong Kong.

Other minor amendments

9. Minor amendments to the VTCO are also proposed to:

- (i) replace the existing terminology of “disabled person” used in the Ordinance which does not conform with international practice in the description of physically disabled people. The term is to be replaced by “person with a disability”; and
- (ii) provide for the Council Deputy Chairman to be signatory of accounts in the absence of the Chairman to facilitate the VTC’s internal administration.

Timetable

10. We intend to introduce the Vocational Training Council (Amendment) Bill to the Legislative Council in the current legislative session.

11. Members are invited to comment on the proposed amendments to the VTCO.

Sections 5 and 6 of the Vocational Training Council Ordinance

Section 5 – Objects of the Council

The objects of the Council shall be-

- (a) to advise the Chief Executive on the measures required to ensure a comprehensive system of technical education and industrial training suited to the developing needs of Hong Kong;
- (b) to institute, develop and operate schemes for training operatives, craftsmen, technicians and technologists needed to sustain and improve industry;
- (c) to promote the training of apprentices;
- (d) to provide and co-ordinate the provision of skills training to disabled persons aged 15 and over for the purpose of improving their employment prospects and preparing them for open employment;
- (e) to establish, operate and maintain technical colleges, technical institutes, industrial training centres and skills centres.

Section 6 – Functions of the Council

1) The Council shall-

- (a) consider and report to the Chief Executive on any matter concerning technical education, industrial training or skills training referred to it by the Chief Executive;
- (b) report to the Chief Executive annually or as often as he may direct;
- (c) examine and make recommendations to the Chief Executive on the financial needs of technical colleges, technical institutes, industrial training centres and skills centres;
- (d) operate and maintain any skills centre assigned to it by the Government;
- (e) keep under review-
 - (i) the needs of industry for trained manpower;
 - (ii) the availability of trained manpower to meet the needs of industry;
 - (iii) the facilities available to train the manpower needed by industry;
 - (iv) the provision by employers of industrial training and apprenticeships; and
 - (v) the adequacy of industrial training provided by employers for trainees and apprentices and the measures to be taken to promote and improve such training;

- (f) consider and recommend which trades should be specified by the Chief Executive to be designated trades under section 45 of the Apprenticeship Ordinance (Cap 47);
 - (g) consider and approve, if thought fit, recommendations from training boards and general committees for training courses; and
 - (h) provide technical aids and vocational assessment in connection with skills training.
- (2) The Council may do all things that are necessary for, or incidental or conducive to, the better carrying out of the objects of the Council and may in particular, but without prejudice to the generality of the foregoing-
- (a) consult with the Government and with any interested person on any matter pertaining to technical education, industrial training or skills training;
 - (b) conduct or commission research into any aspect of technical education, industrial training or skills training;
 - (c) receive and consider suggestions or proposals for the development of technical education, industrial training and skills training;
 - (d) specify the skills and operations to be taught to persons undergoing industrial training;
 - (e) devise training programmes, examinations and tests for any trade;
 - (f) recommend the minimum standard of education to be attained by persons as a pre-requisite to their undergoing technical education or industrial training;
 - (g) disseminate training materials and information on matters kept under review under subsection (1);
 - (h) establish, operate and maintain technical colleges, technical institutes, industrial training centres and skills centres;
 - (i) provide or approve training courses and other facilities for technical education, industrial training and skills training;
 - (j) help candidates for industrial training and skills training to find suitable training facilities;
 - (k) establish standards of skill to be achieved in any particular trade, conduct examinations and tests in respect of any trade and award certificates of attendance and competence;
 - (l) with the approval of the Chief Secretary for Administration make use of personnel, facilities and services of any department of the Government;
 - (m) allocate funds of the Council to any person for the purpose of providing any training course approved by the Council other than a training course which that person is responsible for providing under any other Ordinance or is providing in order to meet his own requirements for trained personnel;

- (n) employ staff and remunerate them;
- (na) pay to the Government amounts representing the cost of pension benefits payable by the Government pursuant to section 4 of the Pensions (Special Provisions) (Vocational Training Council) Ordinance (Cap 387) in respect of persons transferred from service under the Government to service under the Council;
- (o) engage technical and professional advisers to advise on any matter arising out of or connected with any of the functions of the Council, and remunerate them;
- (p) pay allowances to persons attending courses provided or approved by the Council;
- (q) pay allowances to persons partaking in the provision of training courses provided or approved by the Council;
- (r) pay such expenses as it thinks fit to any member, other than a public officer, of the Council, of a council committee or of a training board or general committee;
- (s) acquire, hold and lease any property required for the discharge of its functions under this Ordinance and, subject to the terms and condition upon which such property is held, dispose of it;
- (t) receive funds and donations lawfully given and consistent with its objects under this Ordinance;
- (u) with the approval of the Financial Secretary borrow or otherwise raise money on such security as may be necessary, and, for that purpose, charge all or any part of the property of the Council;
- (v) charge fees for any services or the use of any facility provided by the Council;
and
- (w) enter into any contract in furtherance of its objects or the exercise of its functions.